South Carolina Department of Public Safety, State Transport Police 2012-159-7 US DOT# Legal: OWENS TOURS LLC 766885 Operating (DBA): MC/MX #: 247327 Federal Tax ID: Review Type: Compliance Review (CR) Scope: **Principal Office** Location of Review/Audit: Company facility in the U.S. Territory: F Operation Types Interstate Intrastate Non-HM N/A **Business:** Corporation Carrier: Gross Revenue: for year ending: 12/31/2011 Shipper: N/A N/A Cargo Tank: N/A Company Physical Address: 3655 MARSHFIELD RD JOHNS ISLAND, SC 29455 **Contact Name:** FRED OWENS Phone numbers: (1) 843-573-0675 (2)718-683-0903 Fax E-Mail Address: Company Mailing Address: Time: 3655 MARSHFIELD RD JOHNS ISLAND, SC 29455 Carrier Classification Authorized for Hire Cargo Classification **Passengers** Does carrier transport placardable quantities of HM? No is an HM Permit required? N/A **Driver information** Inter Intra Average trip leased drivers/month: 0 < 100 Miles: Total Drivers: 2 >= 100 Miles: 2 CDL Drivers: 2

RECEIVED

JUL 27 2012

PSC SC
MAIL/DMS

Term Leased Trip Leased

DenwO

Owned Term Leased Trip Leased

Equipment

Motor Coach

Power units used in the U.S.: 1

Percentage of time used in the U.S.: 100



OWENS TOURS LLCU.S. DOT #: 766885

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Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police / Motor Carrier Compliance Unit 10311 Wilson Blvd. Building D-2 PO Box 1993 Blythewood SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: FRED OWENS

Name:

Title: PRESIDENT

Title:



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Part B Violations

1 FEDERAL	Primary: 382.601(a)	Discovered 2	Checked 2	Drivers/\ In Violation 2					
Example Driver's Name	de educational materials explaining requirements of part - Fred Owens, Trip date - 07/20/2012. Drivers have not r f Part 382 and employer's policies.		·	rials explaining					
2 FEDERAL	Primary: 382,603	Discovered	Checked 1	Drivers/V In Violation					
training for alco Example Driver's name	Failing to ensure persons designated to determine that drivers undergo reasonable suspicion testing receive 60 minutes training for alcohol and/or 60 minutes of training for controlled substances.								
3 FEDERAL	Primary: 391.21(a)	Discovered	Checked 2	Drivers/V In Violation					
Example	who has not completed and furnished an employment ap	plication.							
4 FEDERAL	Primary: 391.51(b)(5)	Discovered	Checked	Drivers/V In Violation 1					
Example	ain a note relating to the annual review of the driver's	ving record as re	quired by 391	.25(c)(2).					
5 FEDERAL	Primary: 391.51(b)(6)	Discovered	Checked 1	Drivers/Voin Violation					
Example	ain a list or certificate relating to violations of motor vehic	le laws and ordi	nances require	ed by 391.27.					
6 FEDERAL	Primary: 395.8(f)	Discovered 1	Checked 61	Drivers/Voin Violation	hicles Checked 2				
Example	e driver to prepare record of duty status in form and man Willie Robertson, Trip date - 03/31/2012. Driver is failing		contract numl	ber on daily log	•				



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Part B Violations

7 FEDERAL	Primary: 396.3(a)(2)	·	Discovered 1	Checked 1	1	rivers/V olation 1	ehicl es Checked 1	
Example Vehicle Numi	pect pushout windows, emergency per - 664, 1990 MCI Bus, Trip date pors and emergency marking lights	- 03/31/2012, Carrier is 1			·	•		
8 FEDERAL	Primary: 396.3(b)(2)		Discovered 1	Checked	1	rivers/V plation	ehicles Checked	
maintenance Safety Fitness Total Mi Recorda	inspections performed. Rating Information: les Operated 6,00 ble Accidents 0	0	2012. Carrier is failing to show nature and due dates of the various OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 1 OOS Vehicle (MCMIS): 0					
Recorda	ble Accidents/Million Miles 0.00	Numb	er of Vehicles	inspected (A	ICMIS)	: 0		
	The second secon							
our proposed	safety rating is :	Rating I	actors		cute	Critical	i.	
our proposed	safety rating is :	Fact	or 1:	\$	cute 0	Critical 0	· · · · · · · · · · · · · · · · · · ·	
our proposed	safety rating is :	Fact Fact	or 1: or 2:	S S	0		,	
our proposed	safety rating is : SATISFACTORY	Factor Fa	or 1: or 2: or 3:	\$ \$ \$	0 0 0	0 0 0	· · · · · · · · · · · · · · · · · · ·	
our proposed	•	Factor Fa	or 1: or 2: or 3: or 4:	\$ \$ \$ \$	0 0 0	0 0 0		
our propo se d	•	Factor Fa	or 1: or 2: or 3: or 4: or 5:	\$ \$ \$	0 0 0	0 0 0	•••	

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.



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Part B Requirements and/or Recommendations

- Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
- 2. Obtain a copy of each driver's driving record and review it annually.
- 3. Drivers may not have Commercial Driver Licenses (CDLs) from more than one state. Ensure that all drivers have only one current CDL that is not under suspension or revocation. Driver CDLs must also match the correct class of vehicle driven and have applicable endorsements for double/triple trailer, passenger, tank vehicle and/or hazardous material operation.
- Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
- 5. Ensure that drivers provide a 10-year employment history on their employment application.
- 6. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
- 7. Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR.
- 8. Use of radar detectors or similar devices on commercial vehicles is illegal. Do not require or permit drivers to use them. Take appropriate disciplinary action against drivers if they are using such devices.
- 9. Do not schedule or require drivers to make trips requiring them to exceed posted speed limits in order to complete the run within the hours of service limits.
- Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
- 11. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
- 12. Obtain from any driver used for the first time (or intermittently) a signed statement showing the total time on-duty during the preceding seven (7) days and the time at which the driver was last relieved from duty.
- 13. New & intermittently used drivers must provide a signed statement showing their total time on-duty for the seven days preceding any trip. These records must be kept on file for 6-months.
- 14. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
- 15. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
- 16. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.

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Part B Requirements and/or Recommendations

- 17. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
- 18. This review will result in a Safety Rating.
- 19. A complete Educational and Technical Assistance package entitled " A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
- 20. Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
- 21. Establish a system to control passenger-carrying drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15, and 60/70-hour limits.
- 22. For questions about DOT numbers or blennial updates: 800-832-5660 or 703-280-4001 For questions about licensing, authority or MC numbers: 202-366-9805 For questions about insurance: 202-385-2423 For household goods complaints: 888-DOT-SAFT (888-368-7238)
- 23. FATIGUE DRIVING (HOS) BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

- Ensure that prospective drivers have a history of driving within Hours-of-Service (HOS) regulations by querying applicants, checking with previous employers and references, and obtaining necessary documents regarding HOS violations going back three years. Create a detailed written record of each inquiry.
- Ensure that whoever is responsible for monitoring and tracking Hours of Service (HOS) knows the relevant regulations, how the carrier/dispatcher operates, the company's disciplinary policy and procedures, and how to use supporting documents such as toll and fuel receipts to see if data are accurate.
- Ensure that dispatchers have good planning, communication, and simple mathematical skills.
- Ensure that drivers have sufficient planning skills to know when they should be driving and stopping, basic mathematical skills to calculate their hours and miles, and good organizational skills to keep each Record of Duty Status (RODS) up to date continuously by adding information at every stop.
- Ensure that there are enough people to review Hours-of-Service (HOS) data for all drivers, or invest in electronic on-board recording (EOBR) for continuous real-time review.
- Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director. driver, and dispatcher, using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

HAZMAT Carriers:

- When querying applicants and previous employers for HAZMAT-handling positions, explore whether any fatigue-related violations resulted from physical demands or stress.
- Carefully plan recruitment and hiring of seasonal and part-time HAZMAT drivers to meet demands without exceeding Hours-of-Service (HOS) limitations.

Passenger Carriers:

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Part B Requirements and/or Recommendations

 When hiring part-time or intermittent drivers with concurrent employment, verify current and recent Records of Duty Status (RODS) as well as prior Hours-of-Service (HOS) violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

24. FATIGUE DRIVING (HOS) BASIC PROCESS BREAKDOWN: Monitoring and Tracking

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Monitoring and Tracking Processes.

- Implement an effective process for monitoring, tracking, and evaluating all drivers' compliance with Hours-of-Service (HOS) regulations and company policies.
- Promptly review all Records of Duty Status (RODS) for Hours-of-Service (HOS) violations and falsification. Look
 for discrepancies by comparing driver logs with their "check-in" calls and other supporting documents.
- Document all findings of fatigue-related noncompliance with regulations and/or company policies.
- Systematically check to see if drivers and dispatchers are regularly communicating about Hours-of-Service (HOS) availability and driver-fatique level.
- Maintain roadside inspection, Records of Duty Status (RODS), supporting documents, dispatch schedules, and communication records to help evaluate the performance of all staff (drivers, dispatchers, and managers) involved in Hours of Service (HOS) and the effectiveness of compliance with HOS policies, procedures, and regulations.
- Regularly evaluate the company's fatigue-related inspection results via the Federal Motor Carrier Safety
 Administration's (FMCSA) website at http://ai.fmcsa.dot.gov/SMS. Assess violations for process breakdowns and
 how to remedy them.
- Implement a system for keeping accurate records of employees' Hours-of-Service (HOS) training needs and completed training, via software, a checklist in the driver's file, and/or another appropriate method.
- Evaluate personnel (log clerks, payroll, dispatchers, and third-party safety consultants) who are monitoring drivers' Records of Duty Status (RODS) for accuracy; for whether they are applying performance standards fairly, consistently, and equitably; and for whether they are documenting evaluations.
- Consider using electronic on-board recorders (EOBRs) to monitor and track Hours-of-Service (HOS) violations.
- When monitoring and tracking any fatigue-related issues, always assess whether an issue is individual or represents a systemic breakdown in on of the Safety Management Processes (Policies and Procedures, Roles and Responsibilities, etc.).

Passenger Carriers:

- Monitor and track driver-fatigue-related passenger complaints and assess safety implications.
- Ensure that management ascertains that available hours account for rest periods, separate operations within-company, intermittent and relief drivers, and changes to itinerary that require "extended day." Check in with drivers at predesignated intervals.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS, You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

25. UNSAFE DRIVING BASIC PROCESS BREAKDOWN: Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN

Review Date: 07/26/2012

Part B Requirements and/or Recommendations

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

 Ensure that Motor Vehicle Records (MVRs) from states issuing Commercial Driver's Licenses (CDLs) are reviewed for unsafe-driving violations of all prospective drivers for the last three years.

Ensure that prospective drivers will drive safely by querying applicants, checking with previous employers and
references, and obtaining necessary documents regarding drivers' safety performance going back three years.
 Create a detailed written record of each inquiry.

Ensure that enough drivers are hired so that the carrier can meet deadlines within Hours-of-Service (HOS)

restrictions without speeding.

• Ensure that the employment application captures all information required by Federal Motor Carrier Safety Regulations (FMCSRs), such as that pertaining to moving violations, prior convictions, and denied employment based on unsafe driving.

 Enhance the recruitment process to identify and attract qualified applicants for the position of safety director and driver, using outside resources such as industry affiliations, recruiters, and consultants for employee searches and referrals.

HAZMAT Carriers:

 When questioning applicants and previous employers for HAZMAT-handling positions, check if any physical or stress demands have led to reckless-driving violations.

Seek Out Resources:

You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS. You will need to use your PIN Number that has been provided by the FMCSA.

 Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

26. VEHICLE MAINTENANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any roadside vehicle Out-of-Service (OOS) order.
- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and
 ultimately leading to termination, focused on taking corrective action to ensure that employees comply with vehicle
 inspection, repair and maintenance regulations, and company policies. This policy should also specify consequences
 for any carrier official who knowingly and willfully allows vehicle maintenance violations.

HAZMAT Carriers:

• Establish a policy and procedure to ensure that drivers examine each tire on the motor vehicle at the beginning of each trip and each time the vehicle is parked, and that they take immediate corrective measures as needed before

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Part B Requirements and/or Recommendations

continuing with the route.

Passenger Carriers:

Devalop systematic procedures for inspecting maintenance items critical to fire-safety and emergency evacuation
 - for example, checking wheel-hub lubrication levels according to the manufacturer's recommended inspection
 intervals, checking wheels for signs of excess heat every time the motorcoach is parked, regularly inspecting wiring

and electrical systems for shorts circuits, and inspecting emergency-exit operation and markings.

 Consider installation of fire-detection-and-suppression systems on current fleets and as purchase options on new coaches.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: http://ei.fmcsa.dot.gov/SMS. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

27. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a written company policy incorporating by reference all regulations regarding controlled substances and alcohol use, testing, training, and records retention for all employees.
- Develop a policy requiring drivers to submit copies of all citations for moving violations to carrier management within 24 hours.
- Establish a process to ensure that drivers who are randomly tested can be immediately removed if they are found
 to be positive and that they do not return to safety-sensitive duties until they have complied with the "return-to-duty"
 process.
- Establish written policies and procedures that promote, verify, and enforce adherence to all controlled-substance
 and alcohol rules and regulations. Procedures should be tailored to company operations and should provide specific
 checks and guidelines for interacting with a consortium, if applicable.
- Establish a process to ensure that test results are properly safeguarded from unauthorized disclosure to prospective employers without specific written consent and from disclosure under any circumstances to insurance companies and other nonqualified parties, in accordance with regulations.
- Develop a policy to ensure that all alcohol testing is conducted immediately before or after the period that employees are performing a safety-sensitive function. Drivers can be tested on their day off only for controlled substances. Once notified of their selection, drivers must proceed immediately to the testing facility. If a driver refuses to go, this should be considered as equivalent to a positive result.
- Consider developing a driver selection protocol that uses valid random-number-generator software on a monthly basis to select, by driver identification number, 5 to 8 percent of drivers for controlled-substance testing and 2 to 5 percent for alcohol testing. This will ensure selection of 50 percent of drivers for controlled-substances testing and 10 percent for alcohol testing per year, given fluctuations in the driver workforce over the course of the year.
- Develop a written, progressive disciplinary policy comprising warning letters, suspensions, and fines, and
 ultimately leading to termination, to afford opportunities for improvement through confidential assistance and to
 ensure that drivers are motivated to comply with regulations and company policies. This policy should also specify
 consequences for any carrier official who knowingly and willfully allows controlled-substance and alcohol violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.



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28. CRASH INDICATOR BASIC PROCESS BREAKDOWN: Roles and Responsibilities

DESCRIPTION OF PROCESS BREAKDOWN

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Roles and Responsibilities.

- Ensure managers role includes being responsible for making certain that employees receive safe-driving training in accordance with state or federal regulations and company policy, including safe-driving procedures while carrying HAZMAT (if applicable) for example, counteracting sloshing in cargo tanks.
- Identify, clearly define, and document roles and responsibilities of drivers, managers, and supervisors with
 respect to the carrier's policies and procedures on safe driving and the timely reporting of inspection violations,
 citations and crash involvement.
- Establish roles and responsibilities for managers and experienced drivers to provide oversight and instruction to newer drivers.
- Identify, clearly define, and document role of managers and supervisors for implementing safe-driving policies and practices, and monitoring compliance in accordance with regulatory reporting and company policies and procedures.
- Define and document driver roles and responsibilities associated with compliance with federal, state, and local laws and ordinances related to unsafe driving.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS, You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.
- 29. Notice: A pattern of and/or repeated violations of the same or related acute or critical regulations will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.
- 30. To better understand your company's responsibilities under the Department of Transportation's Americans with Disabilities Act (ADA) regulations concerning accessibility of over-the-road buses, review the information on the Federal Motor Carrier Safety Administration's Web site at: http://www.fmcsa.dot.gov/rules-regulations/bus/company/ada-guidelines.htm
- 31. Provide pre-trip safety information to motorcoach passengers. For information about the Basic Plan for Motorcoach Passenger Safety Awareness that was published by the Federal Motor Carrier Safety Administration, go to the Agency's Web site at: http://www.fmcsa.dot.gov/about/outreach/bus/bus-safety-awareness-plan.htm

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	US DOT # Legal: OWENS TOURS LLC 766885 Operating (DBA):						
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Operatio	n Types	Interstate	Intrastate			, , , , , , , , , , , , , , , , , , , 	
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	Shipper:	N/A	N/A	Gross Revenue:		for year ending: 12/3	1/2011
	jo Tank:	N/A					
		l Address:					
ļ	ARSHFIEL ISLAND, 8						
Contact	Name	EDED (OWENS				
l		(1) 843- 57		(2)718-683-0903	Fax		
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	ISLAND, S	SC 29455					
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Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.							
				r the Federal Motor Carrier S ddressed to the Office of Mo			
	10		Blvd. Buildi	nsport Police / Motor Carrier ng D-2 PO Box 1993	Compli	ance Unit	
This report will be used to assess your safety compliance.							
Person(s)	Interview	ved				,	
	RED OW	ENS			Title:	PRESIDENT	
Name:				**************************************	Title:		
Report	ted By:			Title:		Code: SC0009	Date: 7/26/2012
Receiv	ed By:			T	tie:		